



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

Tentative Notice of Action

MEETING DATE August 4, 2006 LOCAL EFFECTIVE DATE August 18, 2006 APPROX FINAL EFFECTIVE DATE September 8, 2006	CONTACT/PHONE Ryan Hostetter (805) 788-2008	APPLICANT Barbara Boyer	FILE NO. DRC2005-00166
SUBJECT Request by Barbara Boyer for a Minor Use Permit/Coastal Development Permit to allow demolition of existing dwelling and construction of a new two-story 1,354 square-foot single family residence and a 210 square foot attached garage. The project will result in the disturbance of approximately 1,564 square-feet of an approximately 2,689 square-foot parcel. The proposed project is within the Residential Single-Family land use category and is located at the south end of Pacific Avenue between 23 rd and 24 th Street in Cayucos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2005-00166 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on July 6, 2006 (ED06-006)			
LAND USE CATEGORY Residential Single-Family	COMBINING DESIGNATION Archeologically Sensitive, Coastal Appealable, Local Coastal Plan, Small Scale Neighborhood	ASSESSOR PARCEL NUMBER 064-185-010	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Height Limits, Setbacks, Gross Structural Area, Deck Rail Height, Parking, and Driveway Width <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone) Section 23.07.104: Archaeologically Sensitive Area Section 23.07.120: Local Coastal Program <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single-Family <i>East:</i> Residential Single-Family <i>South:</i> Residential Single-Family <i>West:</i> Residential Single-Family	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Cayucos Fire CSD, Cayucos Sanitary CSD, Paso Robles Beach Water Association, Cal Trans, RWQCB, Coastal Commission, and the Cayucos Citizens Advisory Council.	
TOPOGRAPHY: Nearly Level	VEGETATION: ornamental
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cayucos Fire CSD	ACCEPTANCE DATE: June 29, 2006

DISCUSSION

Planning Area Standards: Small Scale Design Neighborhood

STANDARD/GUIDELINE	REQUIRED/ALLOWABLE	PROPOSED	STATUS
FRONT SETBACKS			
GROUND FLOOR	10' MIN.	10'	O.K.
2 ND FLOOR ADDITIONAL SETBACK	3' MIN. (OPEN-RAIL, UNCOVERED DECK O.K.)	3'	O.K.
LOWER STORY WALL HEIGHT	12' MAX.	12'	O.K.
SIDE SETBACKS			
LOWER FLOOR	4' MIN.	4'	O.K.
UPPER STORY	2.5' MIN. ADDITIONAL (30% OF UPPER STORY SIDE WALL MAY ALIGN WITH LOWER FLOOR IN REAR 2/3 OF STRUCTURE)	2.5'	O.K.
REAR SETBACK	10' MIN.	10'	O.K. rear deck can project up to 30% 23.04.116
HEIGHT	24' MAX. WITH 5:12 ROOF PITCH	24' WITH 5:12 ROOF PITCH	O.K.
GSA	50%, NOT > 3,500 FT. ² UPPER FLOOR NOT GREATER THAN 60% OF LOWER FLOOR	3,000 FT. ² LOWER FLOOR 1,100 FT. ²	O.K.
UPPER FLOOR DECK RAIL HEIGHT	36"	36"	O.K.
PARKING	1 10X20' MIN. ENCLOSED SPACE, 1 SPACE WITHIN FRONT SETBACK WITH 20' MIN. GARAGE SETBACK	1 GARAGE SPACE, 1 CARPORT SPACE	O.K.
DRIEVEWAY WIDTH	18' MAX.	11'	O.K.
GUIDELINES	MINIMIZE IMPACTS ON ADJ. RESIDENCES; ARCH. DETAILS TO REDUCE APPARENT MASS; LANDSCAPING TO REDUCE SCALE	COMPLIES	O.K.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is within 300 feet of the inland extent of the beach.

Section 23.07.104: Archaeologically Sensitive Area

A preliminary site survey is required prior to the issuance of a land use or construction permit in order to determine the likelihood of the existence of resources. In the event archaeological resources are discovered during construction, construction activities shall cease and the other standards specified in Section 23.05.140 shall apply. Sean A. Lee, Central Coast Archeology, a qualified professional, conducted a Phase I Archaeological Surface Survey on April 14, 2006. The survey did not find evidence of significant cultural resources. The Conditions of Approval require that in the event that archaeological resources are discovered during construction, construction activities shall cease, and the Planning and Building Department (and in the event of human remains, the County coroner) shall be notified so that resources can be recorded and their disposition handled in accordance with state and federal law. Therefore, as conditioned, the project complies with this standard.

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

The project is consistent with the Coastal Plan Policies as conditioned. The most relevant policies are discussed below.

Public Works:

Policy 1: New Development: The project is a new single family residence and the project has service from Paso Robles Beach Water Assn. and Cayucos Sanitary District as conditioned.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the residence will be located on slopes under 20% and it is not in an Environmentally Sensitive Habitat Area.

Policy 8: Timing of new construction: The proposed project is subject to CZLUO Section 23.05.036 and slope and erosion control measures will be in place if land clearing or grading is to occur during the rainy season.

Policy 9: Techniques for Minimizing Sedimentation: The proposed project is subject to CZLUO Section 23.05.036 and appropriate control measures will be used to minimize erosion and sedimentation.

Policy 10: Drainage Provisions: The drainage plan will ensure that drainage does not increase erosion.

Visual and Scenic Resources:

Policy 2: Site Selection for New Development: The proposed project is consistent with this policy because the public view of the ocean from Highway One is not being further limited.

Policy 6: Special Communities and Small-Scale Neighborhoods: The proposed project meets the community small scale neighborhood design standards and is therefore consistent

with the character and intent of the Cayucos community Small Scale Design Neighborhood standards.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.

Archaeology:

Policy 4: The project is conditioned in the event resources are unearthed during construction.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: None received as of July 6, 2006

AGENCY REVIEW:

Building Division – “Demo. permit required; civil/soils engineering to determine if over-excavation is required for new foundation or is native soil adequate.”

RWQCB – No issues.

Public Works – “Drainage plan required. Route site run-off to street.”

Paso Robles Beach Water Association – No comments.

Cayucos Fire CSD – No response.

Cayucos Sanitary CSD – No response.

Cal Trans – No response.

Coastal Commission – No response.

LEGAL LOT STATUS:

The existing lot were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption (ED06-006) was issued pursuant to CEQA Guidelines Section 15303 because this project is a single family residence in a single family zone.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Studio Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Small Scale Neighborhood

- H. The proposed project meets the community small scale neighborhood design standards and is therefore consistent with the character and intent of the Cayucos community small scale design neighborhood.
- I. Public view of the ocean from Highway One is not being further limited.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the demolition of an existing dwelling and construction of a new two-story 1,354 square-foot single family residence and a 210 square foot attached garage. The project will result in the disturbance of approximately 1,564 square-feet of an approximately 2,689 square-foot parcel.
2. Site development shall be consistent with the approved site plans, elevations, and floor plans .

Conditions required to be completed prior to issuance of construction permit

3. **Prior to issuance of construction permit**, the applicant shall submit a drainage and erosion and sedimentation control plan to Public Works for approval.
4. **Prior to issuance of construction permit**, the applicant shall submit a landscape plan incorporating native drought tolerant plants to Department of Planning and Building for approval.

Sanitary District Release

5. **Prior to issuance of a building permit**, the applicant shall obtain a signed release from the **Cayucos Sanitary District** to ensure that all of their concerns, requirements, fees, and design issues have been addressed. The applicant shall submit the signed release to development review staff prior to requesting building permit issuance.

Miscellaneous

6. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions required to be completed during construction

Height and Verification

7. **Prior to setting foundation forms** (and foundation inspection), the applicant's contractor shall call for a "building height point of measure verification" by setting a height point of measure stake and requesting a field verification by a county building inspector. Maximum height is 24 feet as measured from the center line of Pacific Ave. at midpoint between the two side property lines.

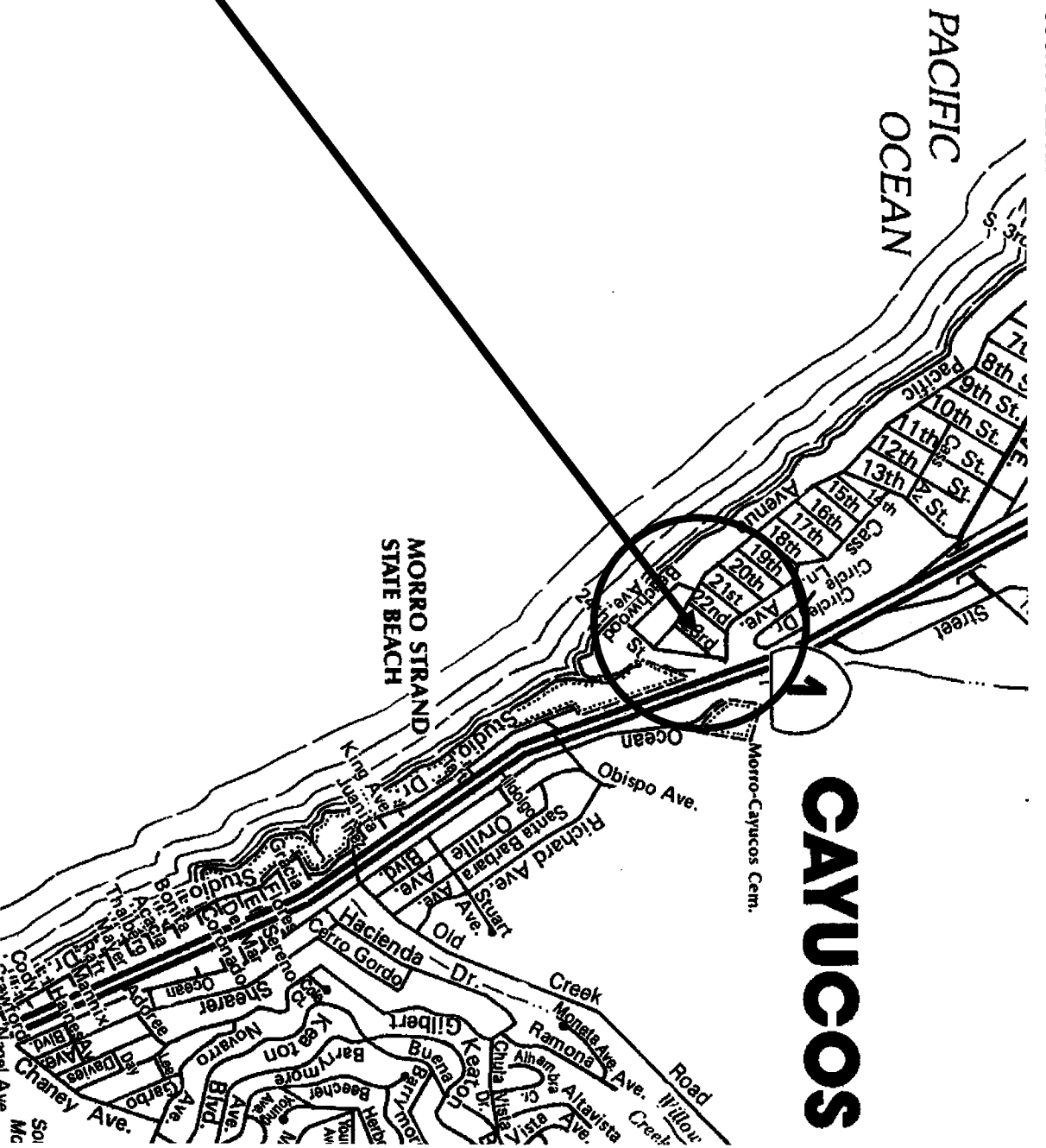
Conditions required to be completed prior to final inspection and occupancy

Landscaping

8. **Prior to final building inspection**, landscaping shall be installed per the approved landscape plan which uses drip irrigation and drought tolerant vegetation and pervious paving.

Fire Safety

9. **Prior to final inspection**, the applicant shall comply with all of the requirements of the Cayucos Fire Protection District.
10. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
11. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').



SITE

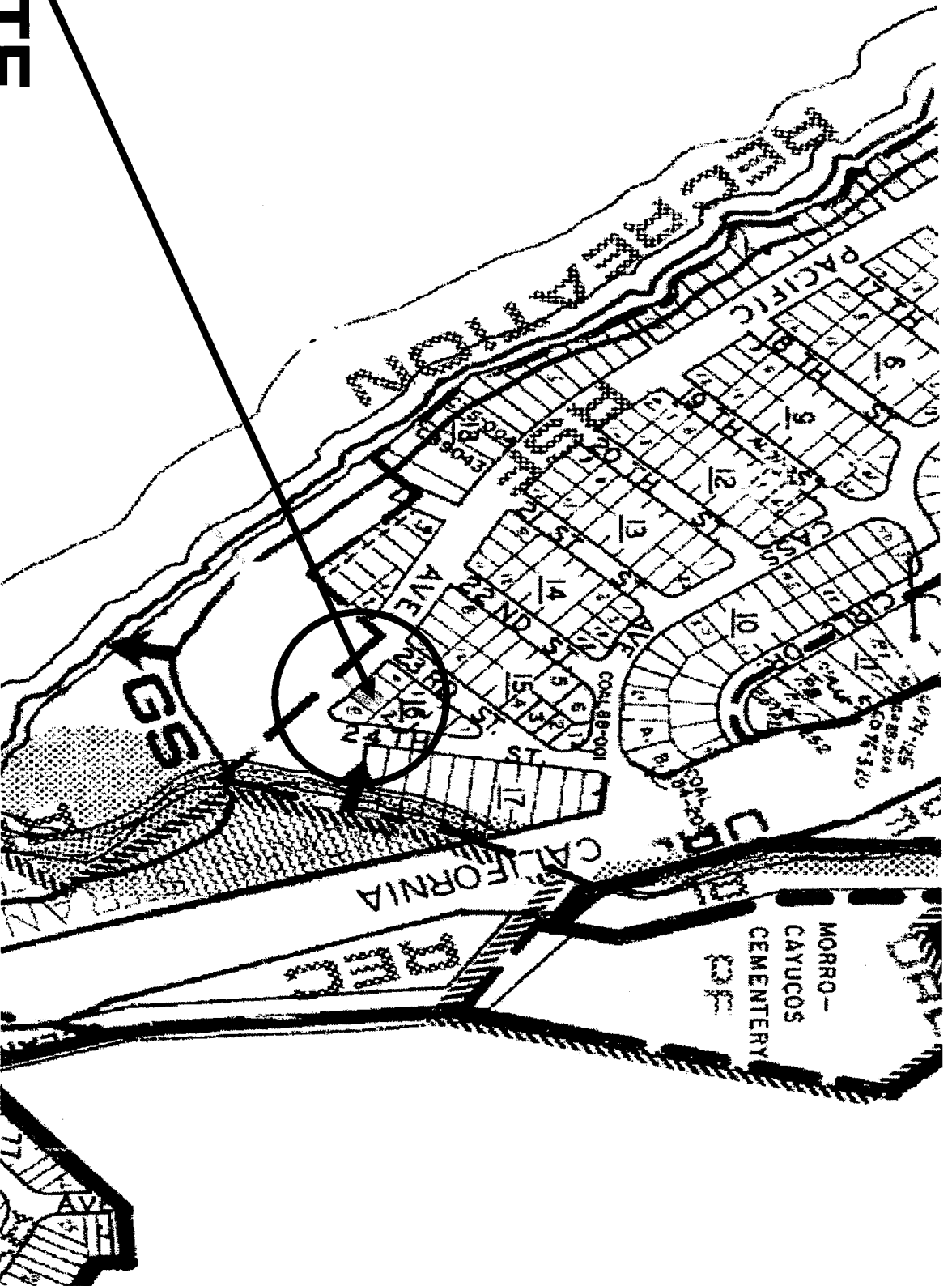
PROJECT

Minor Use Permit
Boyer DRC2005-00166



EXHIBIT

Vicinity Map



SITE

PROJECT

Minor Use Permit
Boyer DRC2005-00166



EXHIBIT

Land Use Category



SITE

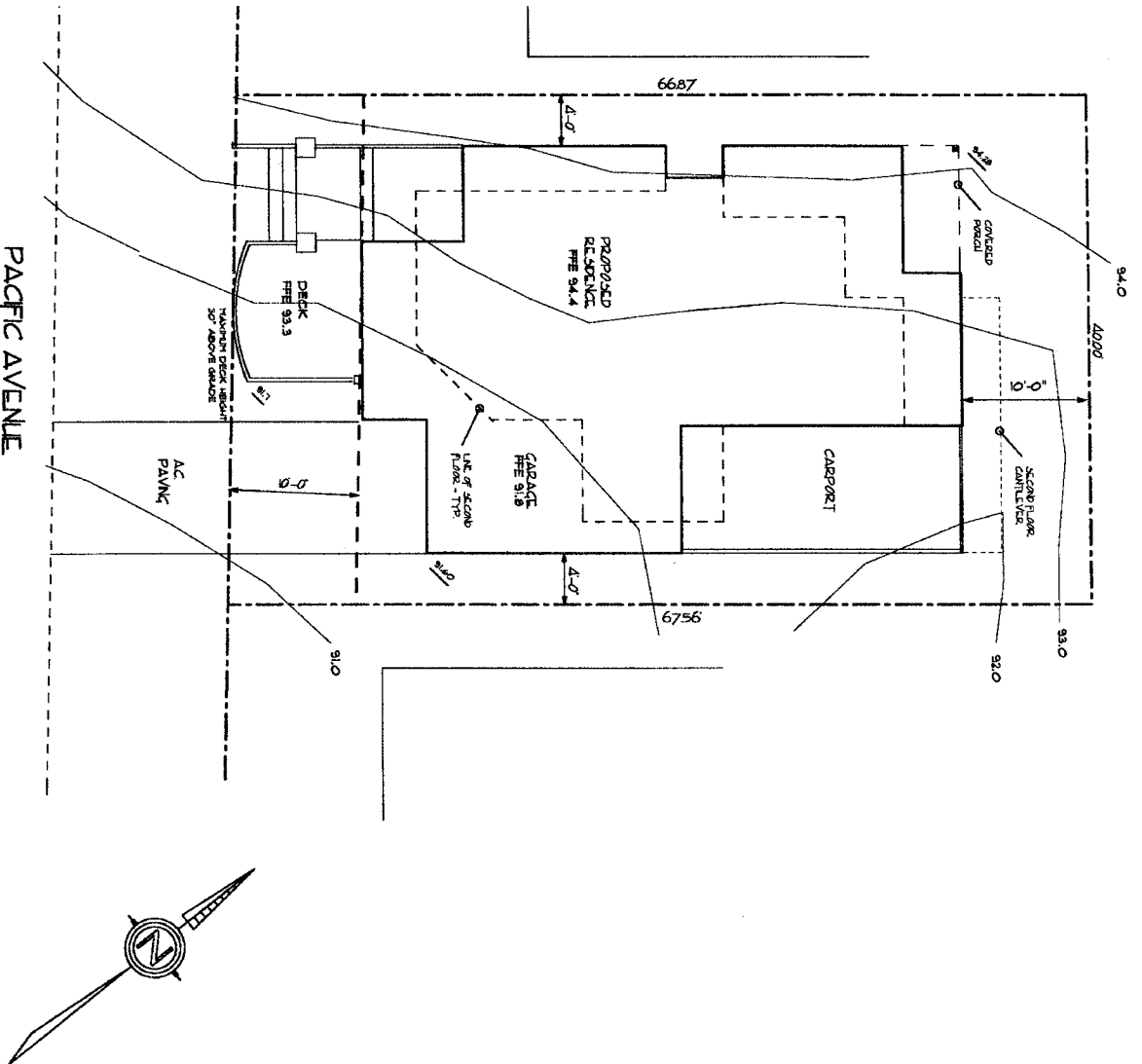
PROJECT

Minor Use Permit
Boyer DRC2005-00166



EXHIBIT

Aerial



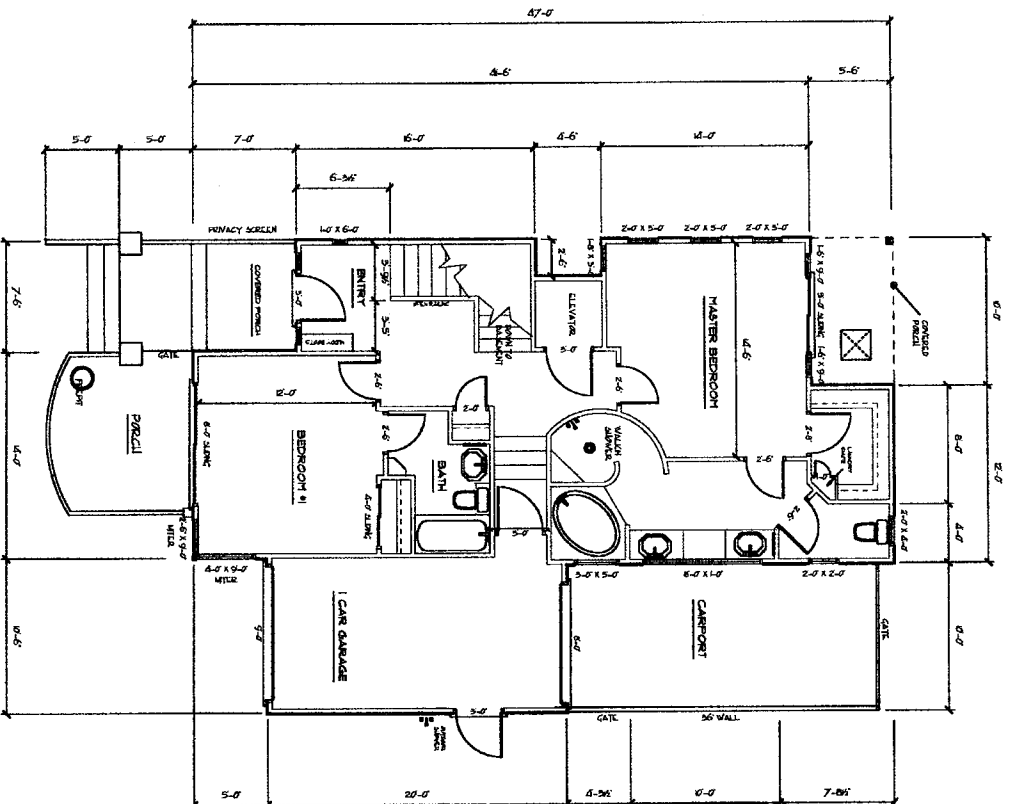
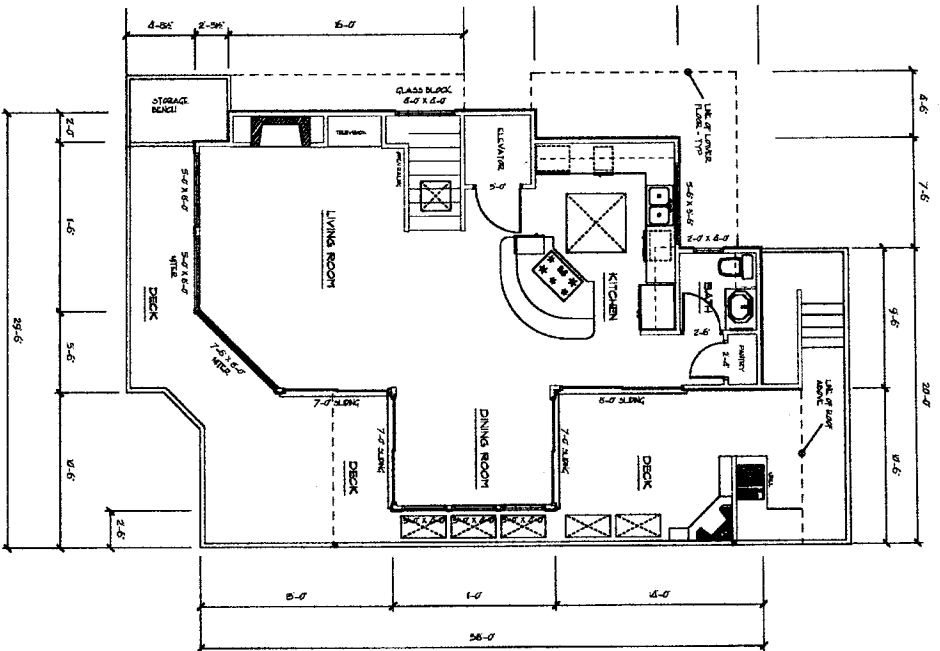
PROJECT

Minor Use Permit
Boyer DRC2005-00166

EXHIBIT

Site Plan





UPPER FLOOR PLAN

1/4" = 1'-0"

LOWER FLOOR PLAN

1/4" = 1'-0"

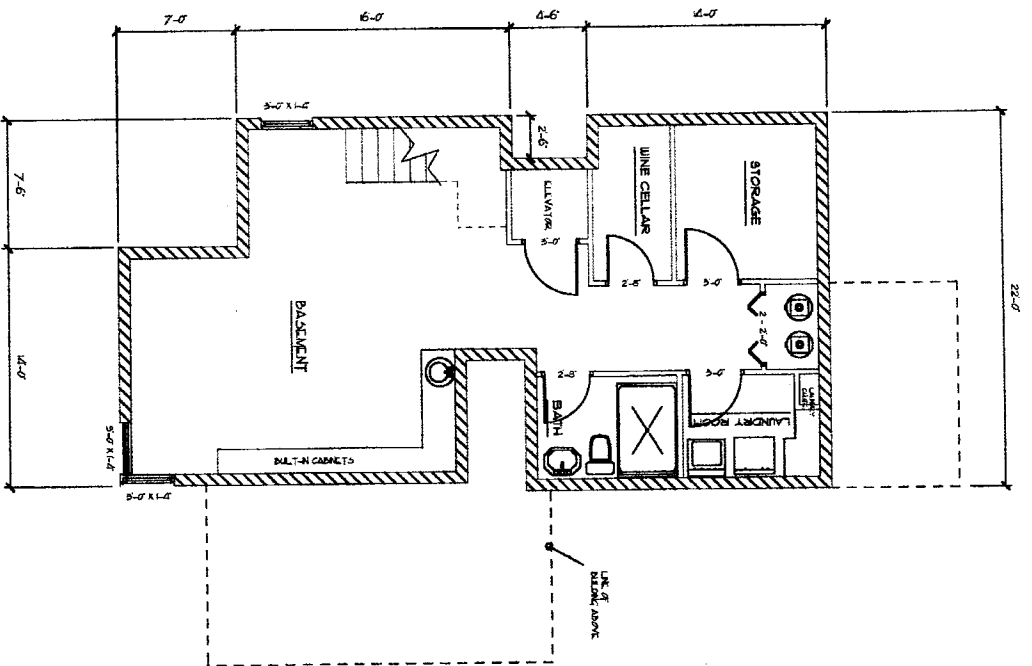
PROJECT

Minor Use Permit
Boyer DRC2005-00166



EXHIBIT

Floor Plan



BASEMENT PLAN

PROJECT

Minor Use Permit
Boyer DRC2005-00166



EXHIBIT

Floor Plan

